IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:		Atty. Docket No.:	004770.00023
Ye WANG, et al.			
Serial No.:	09/966,482	Group Art Unit:	2655
Filed:	September 28, 2001	Examiner:	Jakieda R. Jackson
For:	SYSTEM AND METHOD FOR COMPRESSED DOMAIN BEAT DETECTION IN AUDIO BITSTREAMS		

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
Customer Service Window, Mail Stop Issue Fee
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants acknowledge with thanks the Notice of Allowance mailed December 5, 2005. In said Notice, the Examiner included a statement of reasons for allowance. As to claims 1, 31 and 45, the Examiner stated:

> As for independent claims 1, 31 and 45, they recite a method, encoder and decoder for detecting beats in a compression encoded audio bitstream. Prior art such as Marx and Kondo show similar methods, encoders and decoders but fails to teach the recited method determining a baseline position using modified discrete cosine transform (MDCT) coefficients obtained from the audio bitstream and deriving from the audio bitstream a window-switching pattern for sub-band sampling windows used to generate the MDCT coefficients, to provide beat candidates for further evaluation and to perform beat tracking.

Applicants observe that the language "to provide beat candidates for further evaluation and to perform beat tracking" is not found in claims 1, 31 or 45, and that this language thus has no bearing on construing those claims.

As to claim 13, the Examiner stated:

> As for independent claim 13, it recites a beat detector suitable for placement into an audio device conforming to a compression encoded audio transmission protocol. Prior art teaches a beat detector, but fails to teach the recited beat detector including a modified discrete cosine transform coefficient and a confidence calculator receiving input from the at least one band feature value analyzer, the confidence score calculator calculating a confidence score for beat candidates using stored values of previous inter-onset intervals, for an improved determination of beat position and to score the reliability of the beat candidate.

Applicants note that the language "for an improved determination of beat position and to score the reliability of the beat candidate" is not found in claim 13, and that this language thus has no bearing on construing claim 13.

As to claims 16 and 17, the Examiner stated:

> As for independent claims 16 and 17, they recite an audio encoder and decoder suitable for use with a compression-encoded audio transmission protocol. Prior art teaches similar encoders and decoder, but fails to teach a beat detector including a modified discrete cosine transform coefficient and a confidence calculator, for an improved determination of beat position and to score the reliability of the beat candidate.

Applicants further note that the language "for an improved determination of beat position and to score the reliability of the beat candidate" is not found in claim 16 or claim 17, and that this language thus has no bearing on construing claims 16 and 17.

Respectfully submitted,

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Dated: January 26, 2006

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